

REMARKS

Claims 25-31 are pending in the application and are rejected. Claims 26-31 are herein amended. No new matter has been entered.

Claim Objections

Claims 26-31 are objected to under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicants herein overcome this objection by amending claims 26-31 to depend from claims 25 and 27, instead of claims 1 and 3. Applicants submit that the objections have been overcome.

Double Patenting

Claims 25-31 are rejected under the judicially created doctrine of obviousness-type double-patenting as being unpatentable over claim 1 of commonly assigned U.S. Patent No. 6,833,887. The Examiner asserts that the claims are not patentably distinct from each other because both the present application and the claims of the cited patent disclose the same liquid crystal shutter having a twisted angle of greater than 180°, a pair of polarizing plates and a driving circuit for driving the liquid crystal shutter.

Because both the cited reference and the present application are commonly assigned, Applicants herewith file a Terminal Disclaimer, disclaiming any patent term of the present application that would extend beyond the patent term of the cited patent. Applicants submit that the rejection has been overcome.

Application No. 09/887,092
Group Art Unit: 2871

Response under 37 C.F.R. § 1.111
Attorney Docket No. 971480A

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Kenneth H. Salen
Attorney for Applicants
Registration No. 43,077
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

KHS/dlt